

Dec 08 2006 11:22AM HP LASERJET FAX

p.2



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JASPA SCHLESINGER HOFFMAN LLP
ATTORNEYS AT LAW

1946 - 2006

60

YEARS OF
EXCELLENCE

ROBERT LONDIN
Partner
(516) 393-8264
londin@jshllp.com

300 GARDEN CITY PLAZA • GARDEN CITY, NEW YORK 11530
TELEPHONE 516.746.8000 • FAX 516.393.8282
www.jshllp.com

DELAWARE OFFICE
913 North Market Street
Wilmington, DE 19801
Telephone 302.351.8000
Fax 302.351.8010

December 6, 2006

VIA FACSIMILE (845) 623-9338

Comfort Inn and Suites
425 East Route 59
Nanuet, New York USA 10954
Attn: Manager

Dear Sir or Madam:

I stayed at your Comfort Inn and Suites this past Friday and Saturday (December 1st and 2nd). Although our stay was otherwise pleasant, I am writing to inform you that I sustained an injury in your temporary exercise room riding your recumbent bike.

The recumbent bike jammed during my exercise session and injured my right knee. I do not know the extent of the injury at this time.

However, please take this letter as my recommendation that you have the equipment evaluated and repaired so that others do not sustain a similar (or other) injury.

Very truly yours,



ROBERT LONDIN

RL/lmc

NANUET COMFORT INN & SUITES



December 14, 2006

Mr. Robert Londin, Esq.
Jaspan Schlesinger Hoffman LLP
300 Garden City Plaza
Garden City, NY 11530

Dear Mr. Londin:

I am writing in regards to the letter I received from you informing me of the problem you experienced in our gym. I want to thank you for bringing it to my attention, as we have never had a problem with our recumbent bike previously. We do have a company that services our equipment and will gladly take up your recommendation regarding having it evaluated and repaired if necessary, for the safety of others.

I also thank you for your kind comment regarding your stay at our inn. If I can be of any further assistance, please do not hesitate to call.

Sincerely,

A handwritten signature in black ink, appearing to read "Lorrie Crouch".
Lorrie J. Crouch
General Manager

Acc# 1025255	Arrival Date	02/07/2008	Departure Date	02/08/2008	Room Type	NSK	Room Rate	\$139.00
Guest Information								
Last Name LONDIN			Address 160 DIANAS TRAIL					
First Name CARA			City ZIP Roslyn NY 11576 US					
Phone 516-625-8879			Country					
Email SELF			Comments					
Guest Deposit			Source Group					
Credit Card 3895 04/07			Tech Bar					
Card Holder LONDIN/CARA I			Vehicle 917BOYZ					
Social Security			Notes					
ZEDDECK MELISSA BAT-MITZVA			GIVE GIFT BOX WITH GUEST NAME. GUEST ADVISED OF NO POOL					


PROPERTY & CASUALTY CLAIMS DEPARTMENT

P.O. Box 647, 101 JFK Parkway, Short Hills, New Jersey 07078-0647
 Phone 973-467-0444 • Toll-Free 800-526-1379 • Fax 973-921-2876
 Web Site: www.BollingerInsurance.com

December 19, 2006

Comfort Inn - Nanuet
 425 East Route 59
 Nanuet, NY 10954

Re:

Insured: Comfort Inn - Nanuet
 Loss Location: 425 East Rt. #59
 Nanuet, NY
 Policy Number: S1484818
 Date of loss: 12/2/06
 Claimant: Robert Londin
 Type of Loss: Liability/Record Purposes

Dear Lorrie Crouch:

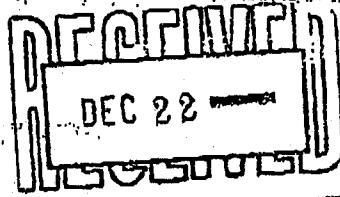
Please be advised that we have received notice of the above captioned claim. We have reported the matter to Selective Ins Co of America for proper handling.

An adjuster from Selective Ins Co of America will be contacting you shortly. If you have any questions or if you wish to discuss this matter in the interim, please do not hesitate to contact me.

Very truly yours,

Jeanie Aronson
 Sr. Claims Representative
 Bollinger Inc.
 (973) 467-8005 Ext. 8241

Enclosed





SELECTIVE INSURANCE
40 Wantage Avenue
Branchville, New Jersey 07890
1-800-777-9656

December 19, 2006

Palisades Lodging Corp T/a Comfort Inn- Nanuet Rockland
425 E Route 59
Nanuet, NY 10544-2908

[REDACTED]

RE: INSURED: Palisades Lodging Corp T/a Comfort Inn- Nanuet Rockland
CLAIMANT: Robert Londin, Atty
CLAIM NUMBER: 20618941
DATE OF LOSS: 12/2/2006
POLICY NUMBER: S1484818
AGENT NUMBER: 00-01502-00000

Dear Policyholder:

This letter is sent to acknowledge receipt of your recent claim. This loss was reported to us on 12/19/2006.

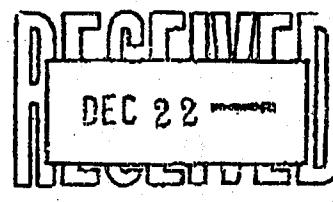
If you have not been contacted regarding this claim please contact me at the number listed below. If your claim has already been settled there is no need to contact us.

Thank you.

Sincerely,

David Koch
PO Box
New City, NY 1056
(845) 639-5326

REGIONAL OFFICE
40 Wantage Avenue
Branchville, NJ 07890-1000
(973) 948-3000
(800) 777-9656



Millie

Could you send info
re. that Lawyer who was
injured on the bike

Send to Bollinger
at Barb. Hancock —

Roy has address if needed —

Please call

"Flash" for Sue

Need something in writing
stating what's happen

up —

Recumbent Bike

Thomp

201
398-0331

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NASSAU

ROBERT LONDIN,

X

Index No. 018393/07

Date Filed: 10/15/07

Plaintiff,

Plaintiff designates
Nassau County as the
Place of Trial

-against-

PALISADES LODGING CORPORATION,

Defendant.

SUMMONS

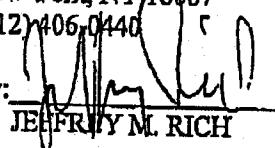
The basis of venue is
Plaintiff's residencePlaintiff resides at
60 Diamond Trail, Roslyn, NY

X

To the above named Defendants

YOU ARE HEREBY SUMMONED to answer the complaint in this action and to serve a copy of your answer, or, if the complaint is not served with the summons, to serve a notice of appearance, on Plaintiff's Attorney's within 20 days after the service of this summons, exclusive of the day of service (or within 30 days after the service is complete if this summons is not personally delivered to you within the State of New York); and in case of your failure to appear or answer, judgment will be taken against you by default for the relief demanded in the complaint.

Dated: New York, New York
October 3, 2007

RICH & RICH, P.C.
Attorneys for Plaintiffs
30 Vesey Street, Suite 1400
New York, NY 10007
(212) 406-0440
By: 
JEFFREY M. RICH

Defendant's address:
c/o Sec'y of State of New York

RECEIVED

OCT 15 2007
NASSAU COUNTY
COUNTY CLERK'S OFFICE

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NASSAU

ROBERT LONDIN,

Plaintiff,

-against-

PALISADES LODGING CORPORATION,

Defendant.

VERIFIED
COMPLAINT

Index # 012393107

RECEIVED

OCT 16 2007

NASSAU COUNTY

COUNTY CLERK'S OFFICE

Plaintiff, by his attorneys, RICH & RICH, P.C., complaining of the defendant's

herein, alleges as follows upon information and belief:

1. That at all times hereinafter mentioned, defendant was and is a domestic corporation organized and existing under and by virtue of the laws of the State of New York.
2. That all times hereinafter mentioned, defendant was doing business as Comfort Inn and Suites.
3. That at all times hereinafter mentioned, defendant was the owner of the premises known as Comfort Inn and Suites, 425 East Route 59, Nanuet, New York.
4. That at all times hereinafter mentioned, the aforesaid premises contained a fitness center with exercise equipment for the use of its guests.
5. That on the 1st day of December, 2006, a temporary fitness center was in use at the

aforesaid premises.

6. That at all times hereinafter mentioned, defendant, its agents, servants and/or employees, operated the premises known as Comfort Inn and Suites, 425 East Route 59, Nanuet, New York, including the aforesaid temporary fitness center.
7. That at all times hereinafter mentioned, defendant, its agents, servants and/or employees, managed the premises known as Comfort Inn and Suites, 425 East Route 59, Nanuet, New York, including the aforesaid temporary fitness center.
8. That at all times hereinafter mentioned, defendant, its agents, servants and/or employees, maintained the premises known as Comfort Inn and Suites, 425 East Route 59, Nanuet, New York, including the aforesaid temporary fitness center and the exercise equipment located therein.
9. That at all times hereinafter mentioned, defendant had a duty to maintain the aforesaid premises and more particularly, the aforesaid temporary fitness center and the exercise equipment located therein, in a reasonably safe condition.
10. That at all times hereinafter mentioned, defendant, its agents, servants and/or employees, controlled the premises known as Comfort Inn and Suites, 425 East Route 59, Nanuet, New York, including the aforesaid temporary fitness center and the exercise equipment located therein.
11. That on the 1st day of December, 2006, plaintiff was a fee paying guest of the

aforesaid Comfort Inn and Suites hotel.

12. That on the 1st day of December, 2006, in the temporary fitness center of Comfort Inn and Suites, 425 East Route 59, Nanuet, New York, claimant was injured when the exercise bicycle on which he was riding malfunctioned.

13. That the aforesaid occurrence was due to the negligence of the defendant, its agents, servants and/or employees in the ownership, operation, management, maintenance and control of the premises known as Comfort Inn and Suites, 425 East Route 59, Nanuet, New York, New York, including the temporary fitness center and the exercise equipment located therein; in causing, permitting and allowing the aforesaid premises, and more particularly an exercise bicycle in the exercise facility located thereat, to become and remain in a dangerous, defective and hazardous condition following receipt of both actual and constructive notice thereof; and in that it was careless, reckless and negligent in other respects.

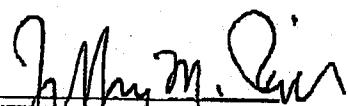
14. That as a result of the aforesaid occurrence, plaintiff, sustained severe and serious personal injuries accompanied by pain and anguish; he required hospital, surgical and medical care for the treatment of his said injuries; he was unable to attend to his usual vocation and activities; and, upon information and belief, his injuries are permanent in nature.

15. That as a result of the negligence of defendant, its agents, servants and/or

employees as aforesaid, plaintiff has sustained damages in an amount which exceeds the jurisdiction of all lower courts which might otherwise have jurisdiction herein.

WHEREFORE, plaintiff demands judgment against defendant in such sums as a jury would find fair, adequate and just.

RICH & RICH, P.C.
Attorneys for Plaintiff
30 Vesey Street
New York, N.Y. 10007
(212) 406-0440

By: 
JEFFREY M. RICH

The undersigned, an attorney admitted to practice before the Courts of the State of New York, hereby affirms, under the penalty of perjury, as follows:

That I am attorney for the plaintiff(s) herein.

That I have read the foregoing complaint and know the contents thereof; that the same is true to my own knowledge, except as to the matters therein stated to be alleged upon information and belief, and as to those matters, I believe it to be true.

The grounds for affirmant's knowledge and belief as to all matters therein stated are documents in the possession of plaintiff(s) attorneys and reports of investigations made in this case, and conversations with the plaintiff.

The reason this affirmation is made by the undersigned and not by the plaintiff(s) is that plaintiff(s) reside(s) outside the County wherein I have my office.

Dated: New York, New York
October 3, 2007


JEFFREY M. RICH

NOTICE OF ENTRY
PLEASE take notice that the within is a (certified)
true copy of a

document entered in the office of the clerk of the within
named court on

Index No. 200710240
Year
SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NASSAU

ROBERT LONDON,

Dated,

Yours, etc.

-against-

RICH & RICH, P.C.

Plaintiff,

PALISADES LODGING CORPORATION,

Office and Post Office Address
30 VESEY STREET
NEW YORK, N.Y. 10007

Defendant.

SUMMONS AND VERIFIED COMPLAINT

To

Attorney(s) for

NOTICE OF SETTLEMENT

PLAISB take notice that an order
of which the within is a true copy will be presented
for settlement to the Hon.

one of the judges of the within named Court, at

Signature Rule 130-(1-a)



Print name beneath JEFFREY M. RICH

RICH & RICH, P.C.

Attorneys for PLAINTIFF

Office and Post Office Address, Telephone
30 VESEY STREET
NEW YORK, N.Y. 10007
(212) 406-0440

To

Attorney(s) for

Office and Post Office Address
30 VESEY STREET
NEW YORK, N.Y. 10007

Service of a copy of the within is hereby admitted.
Dated

200710240

VB
GE 03/11/07

To

Attorney(s) for

Dec 08 2006 11:22AM HP LASERJET FAX

p.1



JASPM SCHLESINGER HOFFMAN LLP

ATTORNEYS AT LAW

300 Garden City Plaza
Garden City, New York 11530-3324
Tel: (516) 746-8000
Fax: (516) 393-8282

IF YOU DO NOT RECEIVE THE TOTAL TRANSMISSION PLEASE CALL (516) 746-8000, EXT. 424

FACSIMILE TRANSMITTAL SHEET

- PLEASE DELIVER IMMEDIATELY -

TO:

FROM:

Manager

Robert Lordin, Esq.

COMPANY:

DATE:

Comfort Inn and Suites

12/8/2006

FAX NUMBER:

TOTAL NO. OF PAGES, INCLUDING COVER:

845-623-9338

2

PHONE NUMBER:

MATTER NUMBER:

845-623-6000

999999

RBI

URGENT FOR REVIEW PLEASE COMMENT PLEASE REPLY PLEASE RECYCLE

COMMENTS/INSTRUCTIONS: SENT BY:

DATE: 12/8/2006 TIME:

Please see attached. Thank you.

December 14, 2006

Mr. Robert Londin, Esq.
Jaspan Schlesinger Hoffman LLP
300 Garden City Plaza
Garden City, NY 11530

Dear Mr. Londin:

I am writing in regards to the letter I received from you informing me of the problem you experienced in our gym. I want to thank you for bringing it to my attention, as we have never had a problem with our recumbent bike previously. We do have a company that services our equipment and will gladly take up your recommendation regarding having it evaluated and repaired if necessary, for the safety of others.

I also thank you for your kind comment regarding your stay at our inn. If I can be of any further assistance, please do not hesitate to call.

Sincerely,

Lorrie J. Crouch
General Manager

Dec 08 2006 11:22AM HP LASERJET FAX

p. 2



Since 1946

ROBERT LONDIN
Partner
(316) 393-8264
rlondin@jshlp.com

JASPA SCHLESINGER HOFFMAN LLP
ATTORNEYS AT LAW

300 GARDEN CITY PLAZA • GARDEN CITY, NEW YORK 11530
TELEPHONE 516.746.8000 • FAX 516.393.8282
www.jshlp.com

1946 - 2006

60

YEARS OF
EXCELLENCE

DELAWARE OFFICE
913 North Market Street
Wilmington, DE 19801
Telephone 302.331.8000
Fax 302.331.8010

December 6, 2006

VIA FACSIMILE (845) 623-9338

Comfort Inn and Suites
425 East Route 59
Nanuet, New York USA 10954
Attn: Manager

Dear Sir or Madam:

I stayed at your Comfort Inn and Suites this past Friday and Saturday (December 1st and 2nd). Although our stay was otherwise pleasant, I am writing to inform you that I sustained an injury in your temporary exercise room riding your recumbent bike.

The recumbent bike jammed during my exercise session and injured my right knee. I do not know the extent of the injury at this time.

However, please take this letter as my recommendation that you have the equipment evaluated and repaired so that others do not sustain a similar (or other) injury.

Very truly yours,



ROBERT LONDIN

RL/lmc

Account #252651		Status: Checked Out	Balance: \$0.00
Stay Information			
Arrival	12/07/06	Adults	2
Nights	2	Children	2
Departure	12/09/06	Number of Rooms	1 Room, 104
GTD/CSL/GTD/21		Room Type	NSK
Guest Information		Address	104 NEW CITY JEWISH CENTER
Frequent Traveler ID#:		City/Zip	ROSLYN, NY 11576
Guest Name: LONDIN		Country	US
First Name: CARA		Phone	516-625-8979
Last Name:		Fax	
Email:		Comments	
Guarantee Information			
Guar/Pmt	VISA	Source	GROUP
Deposit		Check	NGO, NY
Credit Card	3895	Date	Open
Card Holder	LONDIN/CARA I	Vehicle	91780Y2
Associated Accounts			
Guest ZEDECK MELISSA BAT MITZVA			
Comments			
Notes			
GIVE GIFT BOX WITH GUEST NAME, GUEST ADVISED OF NO POOL			
Reserve #0970170611KWH/CH		00/00/00	12/01/08 21:33
			AB
			OUR 12/09/06 23:10
			PG
			EST